

**DRAFT 6<sup>TH</sup> Update Measurement Issues**  
**April 10, 2007**

**Issue #7 Proposed Grade**

**§113.0103 Definitions**

*Proposed Grade* means the grade of a *premises* that will result after all *development* has been completed. ~~See Section 113.0231 for additional information on determining proposed grade.~~

**~~§113.0231—Determining Proposed Grade (Delete entire section)~~**

**Issue #8 Floor Area Ratio/Gross Floor Area**

**§113.0103 Definitions**

*Floor Area Ratio* (FAR) means the numerical value obtained by dividing the *gross floor area* of all buildings on a *premises* by the total area of the *premises* on which the buildings are located. **See Section 113.0234 for additional information on calculating gross floor area.**

**§113.0234 Calculating Gross Floor Area**

*Gross floor area* is calculated in relationship to the *structure* and *grade* adjacent to the exterior walls of a building. The elements included in the *gross floor area* calculation differ according to the type of *development* proposed and are listed in Section 113.0234(a) ~~(c).~~ ~~The additional elements included for development in residential zones and for residential development in other zones are listed in Section 113.0234(b).~~ ~~The additional elements included for commercial and industrial zones for other than residential development are listed in Section 113.0234(e).~~ *Gross floor area* does not include the elements listed in Section 113.0234(d). **The total gross floor area for a premises is limited by the floor area ratio.**

(a) Elements Included in *Gross Floor Area* For Development in All Zones

(1) *Gross floor area* includes all existing and proposed floors within the horizontal area delineated by the exterior surface of the surrounding exterior walls of the building.

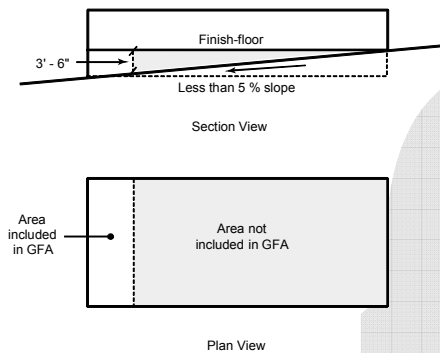
(2) *Gross floor area* **for subterranean structures includes (including basements and underground parking structures) as follows:**

(A) For *lots* that slope less than 5 percent along each edge of the building footprint, *gross floor area* includes the area of all portions of ~~a basement~~ **the structure** where the vertical distance between *existing grade* or *proposed grade*, whichever is lower, and the *finish-floor* elevation above exceeds 3 feet, 6 inches as shown in Diagram 113-02I.

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**Diagram 113-02I**

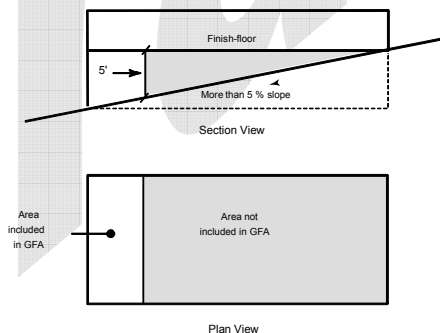
Basements Subterranean Structures with Less than 5 Percent Slope



- (B) For *lots* that slope 5 percent or more along any edge of the building footprint, *gross floor area* includes the area of all portions of a ~~basement~~ the structure where the vertical distance between *existing grade* or *proposed grade*, whichever is lower, and the *finish-floor* elevation above exceeds 5 feet, as shown in Diagram 113-02J.

**Diagram 113-02J**

Basements Subterranean Structures with 5 Percent or More Slope



- (3) *Gross floor area* includes those portions of ~~underground parking structures~~ where, at any point, the vertical distance from ~~existing grade or proposed grade, whichever is lower,~~ to the *finish floor* elevation immediately above, is more than 3 feet, 6 inches as shown in Diagram 113-02K. For the purpose of determining *gross floor area* of *underground parking structures* with multiple vehicular access openings, *gross floor area* shall be calculated in accordance with the

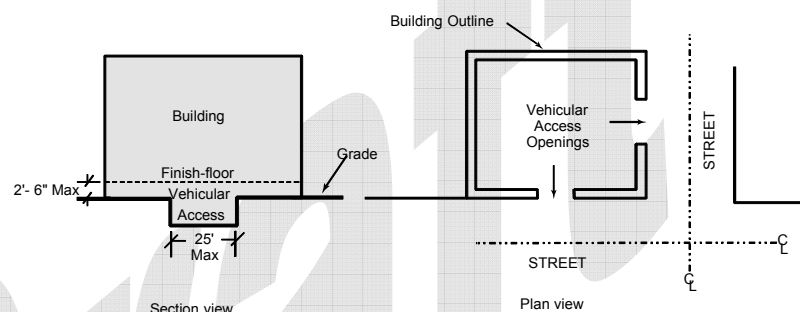
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113.0234(a)(2), except that proposed grade does not include vehicular access openings to underground parking as indicated in Diagram 113-02K, if there are no more than two on-grade openings for vehicular access per premises, and no more than one opening for every 50 feet of street frontage provided that the openings do not exceed a width of 16 feet for single-unit residential zones, 18 feet for multiple-unit residential zones, 20 feet for commercial zones, and 25 feet for industrial zones.

**Comment:** Unnecessary since the size of the driveway opening is already regulated by the parking section of the code.

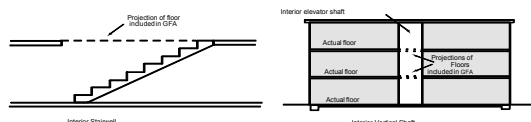
**Diagram 113-02K**  
 Underground Parking Structures

**Comment:** Modify this Diagram to indicate how gross floor area would be calculated so that the section and plan view show the exempted areas.



- (4) *Gross floor area* includes enclosed exterior stairwells and enclosed exterior elevator shafts.
- (5) *Gross floor area* includes interior shafts such as elevator shafts, ventilation shafts, and other similar vertical shafts, interior stairwells, ramps, and mechanical equipment rooms. *Gross floor area* includes the area of the horizontal projection into the interior shaft of each floor in plan view that is served by the elevator, shaft, stairwell, or ramp, as shown in Diagram 113-02L.

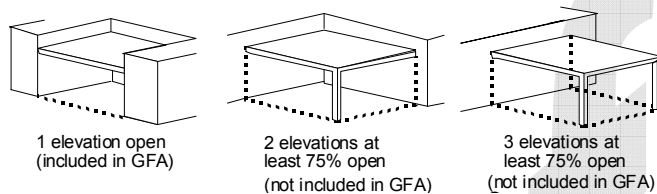
**Diagram 113-02L**  
 Interior Stairwells and Vertical Shafts



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- (6) *Gross floor area* includes on- or above-grade parking *structures*, garages, and carports that are constructed and maintained with less than two elevations of the element that are at least 75 percent completely open, as shown in Diagram 113-02M.

**Diagram 113-02M**  
Parking Structures



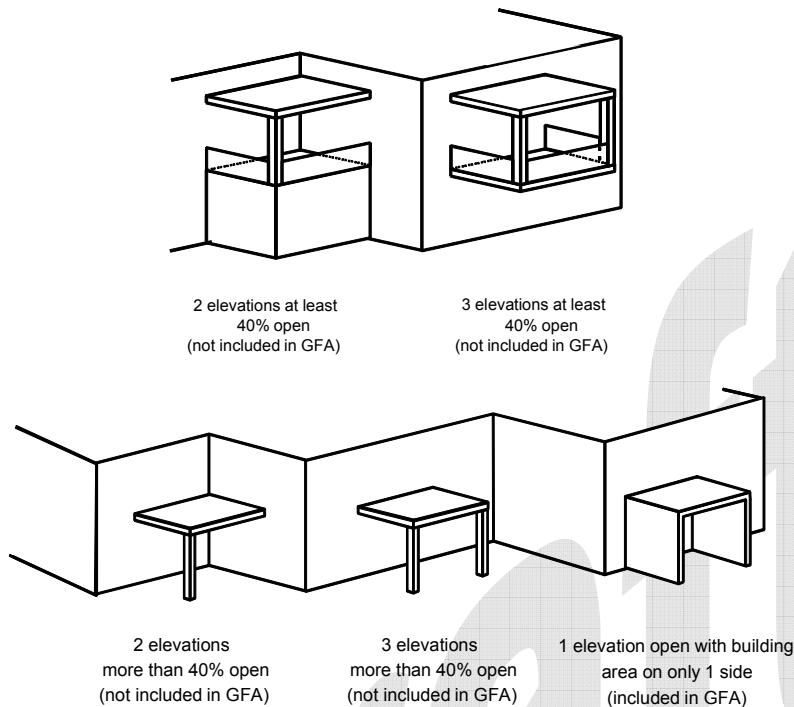
- (7) *Gross floor area* includes *penthouses*, except in the following instances:
- (A) When height of the enclosure above the highest roofline of the building or *structure* upon which the enclosure is located is no more than 13 feet for an elevator shaft or 9 feet for a stairwell; and
- (B) When total plan area of the enclosure or enclosures is not more than 10 percent of the area of the roof plan of the building.

- (b) Additional Elements Included in *Gross Floor Area* in Residential Zones and for Residential Development in Other Zones.
- (1) *Gross floor area* includes roofed porches, entrances, exterior balconies, and patios when they project from the primary *structure* and are constructed and maintained with at least two elevations of the element that are less than 40 percent permanently open, as shown in Diagram 113-02N.

**Diagram 113-02N**  
Projecting Porches and Balconies

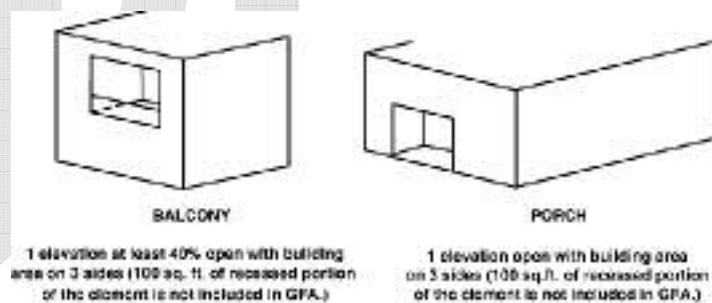
**Comment:** Do we need to add an exception here for the at grade space that is described in (c)?

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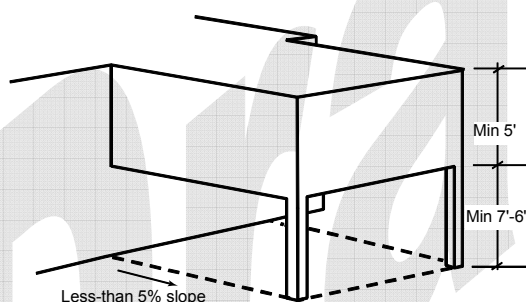
- (2) *Gross floor area* includes roofed porches, entrances, exterior balconies, and patios when the element is recessed or partially recessed in the *structure* and surrounded or partially surrounded on three sides by the enclosed building. *Gross floor area* does not include 100 square feet of the recessed portion of the element when the fourth elevation of the element is at least 40 percent permanently open. This is illustrated in Diagram 113-02O.

**Diagram 113-02O**  
 Recessed Porches and Balconies



- (3) *Gross floor area* includes any at-grade space that is built with enclosed space above, when there is at least 7-foot 6-inches between grade and the finish-floor elevation above, and the enclosed space above exceeds a height of 5 feet measured from the top of the wall or post supporting the space to the top of the roof above ~~when the gradient along any edge of the at-grade space is less than 5 percent, as shown in Diagram 113-02P.~~ ~~*Gross floor area* in this situation includes the area of the at-grade space when there is at least 7'-6" between grade and the finish floor elevation of the space above and that portion of the area of the enclosed space above that exceeds the 5-foot height.~~ However, up to 400 square feet of the at-grade space may be exempted from the floor area ratio calculation where it is integral to the project design and necessary to provide required parking.

Diagram 113-02P  
Carport with Enclosed Space Above



At-grade space and enclosed space above count as GFA

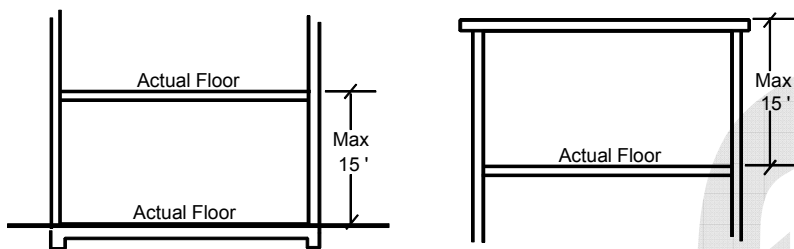
**\* Delete "Less than 5% slope" in Diagram 113-02P**

- (4) *Gross floor area* includes any projected *floor* area and other phantom *floors* within the building's exterior walls where specified dimensions are met. Phantom *floors* are located within the space above or below actual *floors* within a building, and are measured separately above each actual *floor* or below the lowest actual *floor* for under *floor* area, described as follows:
- (A) Phantom *Floors*. When the vertical distance between the finish-*floor* elevation and the finish-*floor* or flat roof

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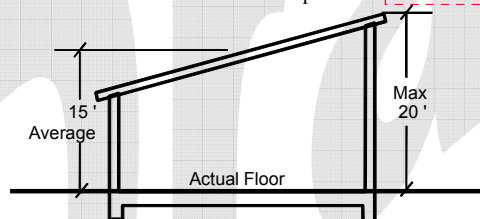
immediately above does not exceed 15 feet, the area of one *floor* (the *actual floor*) is included in *gross floor area*, as shown in Diagram 113-02Q.

**Diagram 113-02Q**  
 One Floor Below Actual Floor and Flat Roof



When the vertical distance between the finish *floor* elevation and the elevation at the midpoint of the sloped roof immediately above that has at least a 2:12 pitch (2 vertical feet to 12 horizontal feet) pitch does not exceed 15 feet, and the elevation of the highest point of the roof does not exceed 20 feet, the area of one *floor* (the *actual floor*) is included in *gross floor area*, regardless of the location of the ceiling, as shown in Diagram 113-02R.

**Diagram 113-02R**  
 One Floor Below Sloped Roof



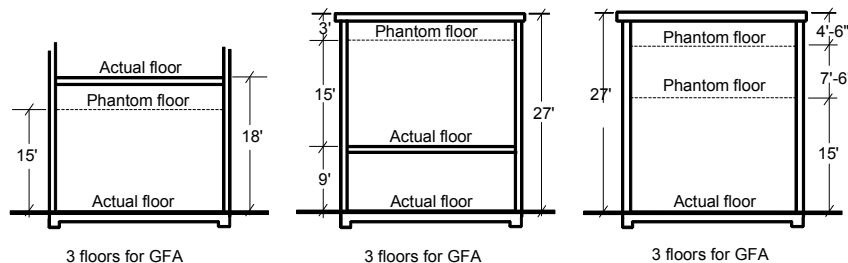
**Comment:** Delete Diagram. Its no longer necessary.

When the vertical distance between the finish *floor* elevation and the finish *floor* or ~~flat~~ roof elevation immediately above exceeds 15 feet, *gross floor area* includes the area of the *actual floor* plus the area of a phantom *floor* at 15 feet of height ~~and at each 7 foot, 6-inch increments~~, or portion thereof, of height above the 15-foot height, as shown in Diagram 113-02S.

**Diagram 113-02S**  
 Multiple Floors Below Actual Floor and Flat Roof

**Comment:** Delete example on far right

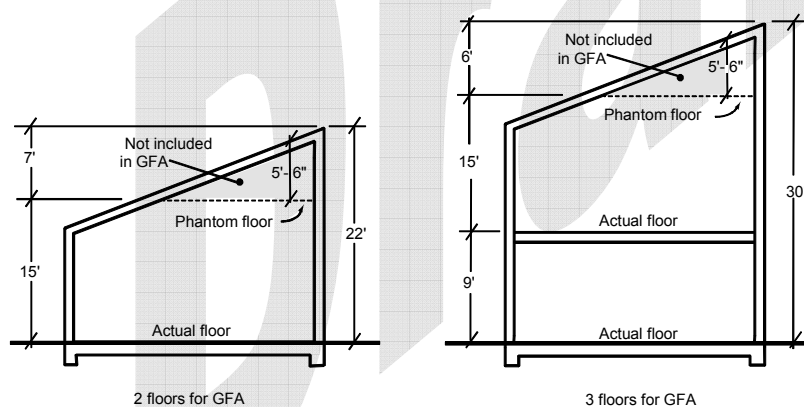
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When the vertical distance between the finish floor elevation and the elevation at the midpoint of the sloped roof immediately above that has at least a 2:12 pitch (2 vertical feet to 12 horizontal feet) exceeds 15 feet or the elevation of the highest point of the roof immediately above exceeds 20 feet, *gross floor area* includes the area of the actual floor plus the area of a phantom floor at 15 feet of height and at each 7-foot, 6-inch increment of height above the 15-foot height, regardless of the location of the ceiling, as shown in Diagram 113-02T. *Gross floor area* excludes those portions of actual floors and phantom floors where there is less than 5 feet, 6 inches of vertical distance between the actual or phantom floor and the elevation of the roof immediately above.

**Diagram 113-02T**  
Multiple Floors Below Sloped Roof

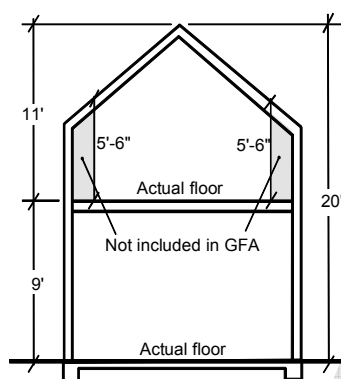
**Comment:** Revise to show exemption for 5 foot area under the slope (not 5'-6").





- (B) *Attic Space.* *Gross floor area* includes the *attic space* above ceilings according to the regulations for phantom floors in Section 113.0234(b)(4)(A), as shown in Diagram 113-02U where there is at least 5 feet of vertical distance between the *attic floor* and the roof elevation immediately above. The location of any ceilings immediately below the roof does not affect the measurement of phantom floors above the highest finish-floor elevation.

**Diagram 113-02U**  
Attic Space

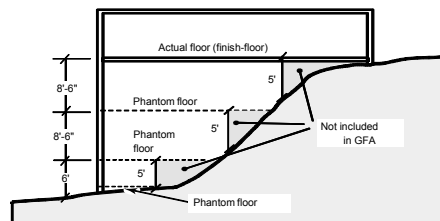


**Comment:** Delete Diagram entirely or at a minimum revise the 5'-6" to read 5'-0".

- (C) *Underfloor Area.* For sloping lots with a minimum slope of 5 percent within the building footprint, *Gross floor area* includes additional phantom floors within the enclosed space below the lowest finish-floor elevation. In this case, the area of a phantom floor is included in *gross floor area* at each 8 1/2-foot, 6-inch increment, or portion thereof, of height between the lowest finish-floor elevation and *grade*, measured vertically from the lowest finish-floor elevation, as shown in Diagram 113-02V. *Gross floor area* excludes any area where there is less than 5 feet of height between *grade* and the finish-floor or phantom floor elevation immediately above.

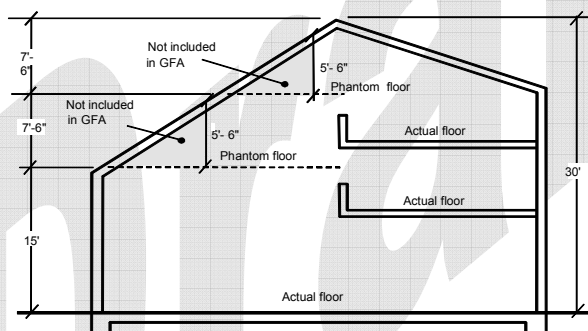
**Diagram 113-02V**  
Underfloor Area

**Comment:** Revise the Diagram to show 15 foot underfloor and the appropriate 5 foot exempt area.



- (D) Interior Balconies, Mezzanines, and Lofts. *Gross floor area* includes the area within a building adjacent to all interior balconies, mezzanines, and lofts, pursuant to the regulations for phantom floors in Section 113.0234(b)(4)(A) as if such elements did not exist adjacent to the space, as shown in Diagram 113-02W. The location of an adjacent interior balcony, mezzanine, or loft does not affect the location of phantom floors above the finish-floor elevation of the adjacent space.

**Diagram 113-02W**  
**Mezzanines**

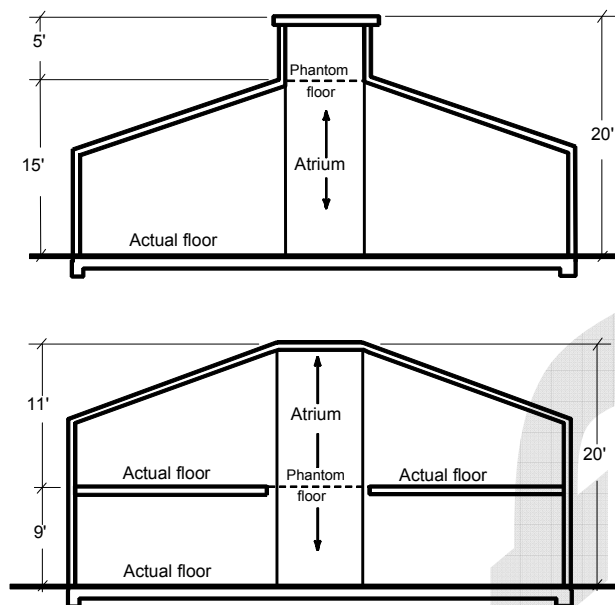


**Comment:** Revise the Diagram to reflect 15 foot and 5 foot change in regulations for consistency.

- (E) *Atriums*. *Gross floor area* includes the area of the horizontal projection into the atrium from each adjacent floor in plan view. If no adjacent floors exists, the regulations for phantom floors in Section 113.0234(b)(4)(A) apply to the space within the atrium. This is illustrated in Diagram 113-02X.

**Diagram 113-02X**  
**Atriums**

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- (5) *Roof Decks.* Gross floor area includes roof decks when any portion of the deck's parapet, guardrail, wall, or fence (open or solid) enclosing the area exceeds an average of 42 inches in height, or exceeds 54 inches in height at any point.
- (c) Additional Elements Included in *Gross Floor Area* in Commercial and Industrial Zones (for other than residential development)
- (1) *Gross floor area* includes atriums, provided, however, that only proposed or existing actual floors are included.
- (2) *Gross floor area* includes porches when completely enclosed on all sides.
- (d) Elements Not Included in *Gross Floor Area*
- (1) *Interior Courts*, as defined in Section 113.0103; and
- (2) Interior modifications, including additions of actual floor area, that do not affect the outer limits of the existing structural envelope.

**Issue #9 Setbacks and Property Lines for Lots That Abut an Alley**

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**§113.0103 Definitions**

*Street yard* means the area of a *lot* or *premises* that lies between the edge of the nearest ~~public right of way~~ street and the *street wall line*.

**§113.0246 Determining Property Lines**

(a) through (d) [No change.]

(e) Property Lines that Abut an Alley. A property line that abuts an alley shall be determined in accordance with Section 113.0237 (a) through (d). However, the property line that abuts an alley shall not be considered a street property line for the purpose of determining setbacks or street yards as indicated below:

- (1) Alley as front property line. A setback equivalent to a rear yard shall be applied when a lot abuts an alley as a front property line.
- (2) Alley as side property line. A setback equivalent to an interior side yard shall be applied when a lot abuts an alley as a street side property line.
- (3) Alley as rear property line. A setback equivalent to a rear yard shall be applied when a lot abuts an alley as a rear property line.

**§113.0252 Measuring Setbacks**

- (a) The distance of the *setback* is measured inward from and perpendicular to the nearest *property line*, as follows, except as otherwise indicated in Section 113.0237(e):

**Issue #10 Determining a Legal Lot**

**§113.0237 Determining a Lot**

- (a) A *lot* is legal for purposes of *development* if it meets any one of the following criteria:
- (1) The *lot* is an individual parcel designated with a number or letter on a *subdivision* or *parcel map* recorded with the County Recorder, a record of survey map approved by resolution of the City Council and recorded with the County Recorder after December 5, 1954, or a division plat approved by and filed with the Development Services Department. Land held as a reversionary interest within a public street is considered a part of the lot to which it abuts; or
  - (2) The *lot* has been officially determined as a suitable building site ~~or a site for another particular use by a variance, certificate of compliance, or other~~ for development under the Land Development Code ~~procedure~~; or
  - (3) The lot was created before March 4, 1972 as a result of a boundary adjustment between two adjoining lot owners wherein the land is taken

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from one parcel and added to the adjoining parcel and no new *lots* were thereby created; or

~~(3)~~(4) The lot was created held as a separate parcel before March 4, 1972, held as a separate parcel by a subsequent purchaser, and has at least 15 feet of street frontage or other legal access to a dedicated street as approved by the City Engineer; or

~~(4)~~(5) The *lot* was held as a separate legal parcel upon annexation to the City of San Diego.

(b) [No change to text.]

(c) A Certificate of Compliance may be obtained in accordance with Section 125.0210 to certify that a *lot* is legal for development.

**Issue #11 Measuring Lot Width**

**§113.0243 Measuring Lot Depth and Lot Width**

(a) through (b) [No change.]

(c) Lot Width for Residential Lots

(1) For irregularly shaped *lots*, such as pie shaped *lots*, the *lot* width is determined by calculating the average lot width for the first 50 feet of lot depth.

(2) For consolidated *lots*, the *lot* width is equivalent to the total width of the premises after the consolidation.

**Issue #12 Established Setbacks**

**§113.0249 Determining Setback Line**

(a) through (b) [No change.]

(c) Where a *setback* was previously established by resolution for a *premises* and the established *setback* is inconsistent with the existing underlying base zone, the *setback* required by the underlying base shall apply, unless the resolution states a specific reason to justify the alternative established *setback*, such as to preserve a view corridor.

**Issue #13 Measuring Setbacks**

**§113.0252 Measuring Setbacks**

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- (a) The distance of the *setback* is measured inward from and perpendicular to the nearest *property line*, as follows, except as otherwise indicated in Section 113.0237(e):

(1) through (4) [No change.]

- (b) [No change.]

- (c) For the purpose of determining whether new *development* complies with the *setback*, the measurement shall be taken from the *property line* inward to the edge of the building frame.

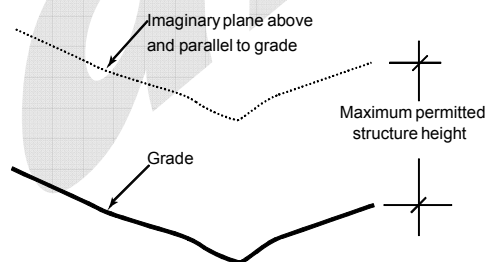
**Issue #14 Measuring Structure Height**

**§113.0270 Measuring Structure Height**

- (a) *Structure Height* of Buildings and Structures ~~Other Than~~ (Excluding Non-Attached Fences, Retaining Walls, or Signs)

- (1) The maximum permitted *structure height* is specified in the applicable zone and defines the upper limits of the *building envelope* for a *premises*. It is measured vertically from the *existing grade* or *proposed grade*, whichever is lower, to form an imaginary plane that is parallel to *grade*, below which all buildings and *structures* must be located, except as otherwise described in 113.0270(a)(~~7~~)(4). This is illustrated in Diagram 113-02II.

**Diagram 113-02II**  
Maximum Permitted Structure Height



- (2) ~~Where there is an extreme natural topographic variation on a *premises* that covers 10 percent or less of the proposed structure's footprint, as shown in Diagram 113-02LL, *structure height* is measured from an imaginary plane made by connecting the perimeter points of the topographic variation, so that the imaginary plane above and parallel to *grade* will not reflect the extreme natural topographic variation.~~

**Comment:** Moved to new 113.0270(a)(4)(A).

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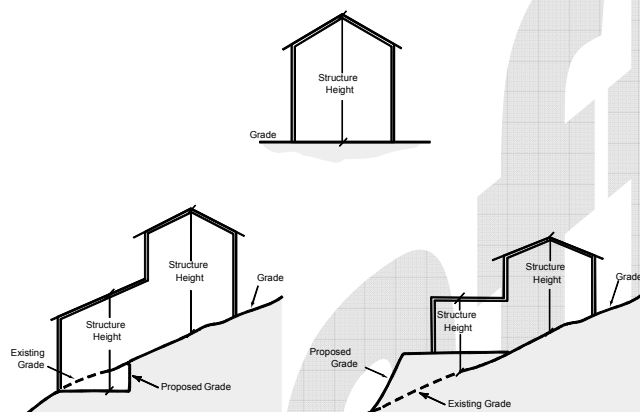
Diagram 113-02JJ Extreme Topographic Variation

**(3)(2)** A two part calculation is required to measure *structure height* including:

- (A)** **Plumb line measurement.** The *structure height* is measured from all points on top of a *structure* to *existing grade* or *proposed grade*, whichever is lower, directly below each point, **except as described in Section 113.0270(a)(4)**. This measurement is taken vertically through the *structure* at each point where *structure height* is being measured, as shown in Diagram 113-2KKJJ **except as described in Section 113.0270(a)(4)**.

**Comment:** Old 113.0270(a)(3)

**Diagram 113-02KKJJ**  
Measurement of Structure Height



- (4)** Where a *basement*, *underground parking structure*, *interior court*, or other similar interior area is proposed, the lower of *existing grade* or *proposed grade* shall be used to measure *structure height* from an imaginary plane through the building that connects these *grade* elevations on both sides of the *structure* as shown in Diagram 113-02LL. *Structure height* for this purpose shall be measured from an imaginary plane through the building that connects these *grade* elevations on both sides of the *structure*.

Diagram 113-02LL Structure Height at Basement

- (5)(B)** **Overall Height Measurement.** The overall *structure height* is measured from the lowest point of *existing grade* or *proposed grade* within 5 feet of the structure's perimeter (building wall, balcony, bay window, or similar *architectural projection*) or at the *property line*, whichever is closer, to the highest point of the *structure*, projected horizontally to directly above this lowest point of *grade*, **except as specified in Section 113.0270(a)(6)**. The

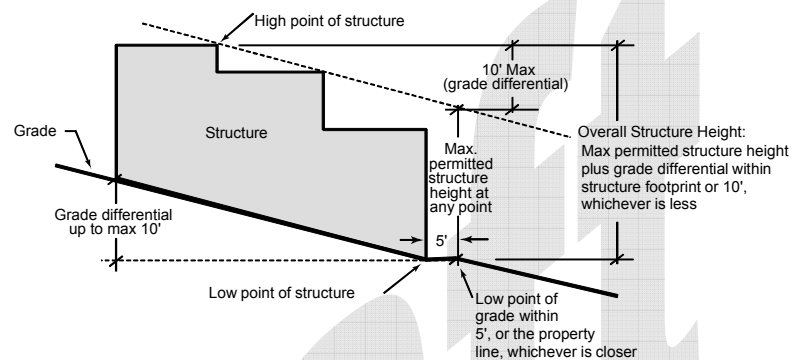
**Comment:** Old 113.0270(a)(5)

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overall *structure height* shall not exceed the maximum permitted *structure height* of the applicable zone plus an amount equal to either the maximum *grade differential* based on existing topographic conditions within the structure's footprint or 10 feet, whichever is less. In no case may the *structure height* exceed the maximum allowed by the applicable zone at any one point measured pursuant to Section 113.0270(a)(3). This is illustrated in Diagram 113-02MMKK.

**Diagram 113-02MMKK**  
Overall Structure Height

**Comment:** Old Diagram 113-02K MM



- (3) Structure height is measured separately for each structure that is separated from another structure on the premises by 6 feet or more.

**Comment:** Old 113.0270(a)(7)

- (4) Special Circumstances

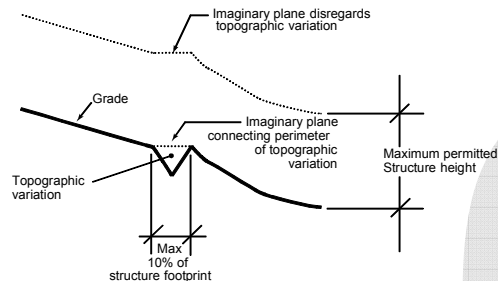
- (A) Extreme Topographic Variation. Where there is an extreme natural topographic variation on a premises that covers 10 percent or less of the proposed structure's footprint, as shown in Diagram 113-02LL, structure height is measured from an imaginary plane made by connecting the perimeter points of the topographic variation, so that the imaginary plane above and parallel to grade will not reflect the extreme natural topographic variation.

**Comment:** Old 113.0270(a)(2)

**Diagram 113-02LL**  
Extreme Topographic Variation



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**(B) Underground Structures**

(i) Where a basement, underground parking structure, interior court, or other similar interior area is proposed, the lower of existing grade or proposed grade shall be used to measure structure height from an imaginary plane through the building that connects these grade elevations on both sides of the structure as shown in Diagram 113-02MM.

**Comment:** Old 113.0270(a)(4)

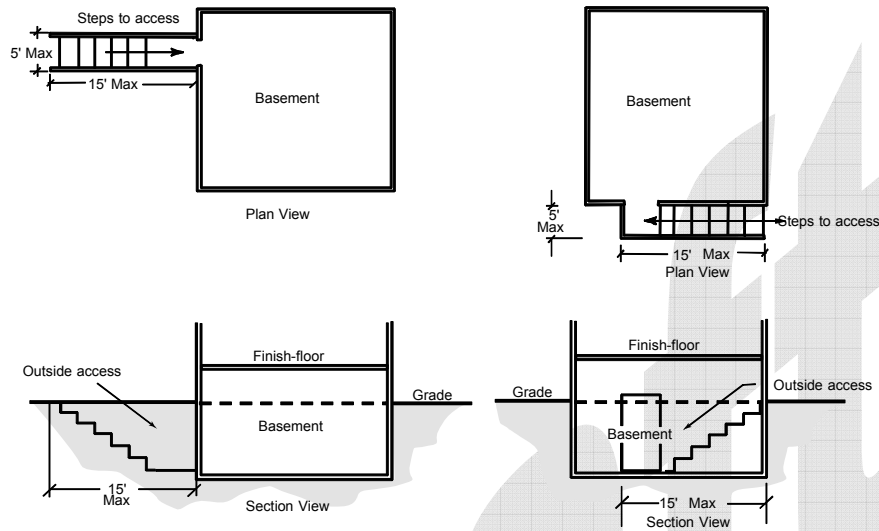
(6)(ii) For the purpose of measuring overall structure height on a structure that provides pedestrian access or ventilation to a basement an underground structure, where the vertical distance between the adjacent grade and the finish floor elevation above does not exceed 2 feet, 6 inches, the lowest point of existing grade or proposed grade within 5 feet of the structure's perimeter does not include one pedestrian or ventilation access with dimensions of up to 5 feet by 15 feet which abuts the structure, as shown in Diagram 113-02NN.

**Comment:** INSERT NEW DIAGRAM 113-02MM with imaginary plane plotted in plan view to show structure height for underground structure

**Comment:** Modified/Simplified 113.0270(a)(6)

**Diagram 113-02NN**  
Access to Basement

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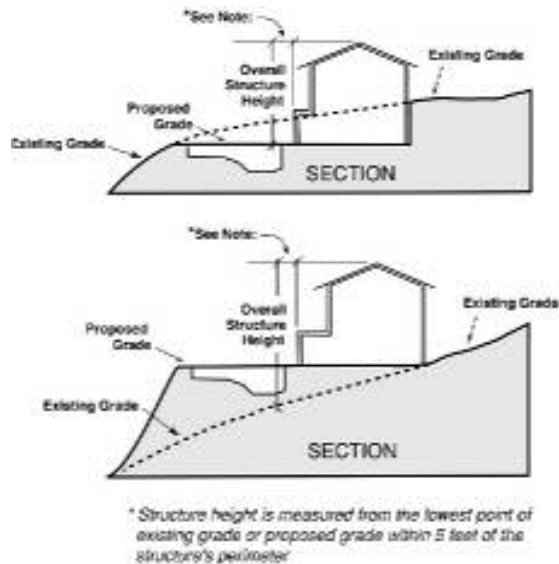
~~(7) *Structure height* is measured separately for each *structure* that is separated from another *structure* on the *premises* by 6 feet or more.~~

(8)(C) When a pool is located within 5 feet of the *structure*, the overall *structure height* shall not include the pool. This is illustrated in Diagram 113-0200.

**Comment:** Existing 113.0270(a)(8)

**Diagram 113-0200**  
**Overall Structure Height With Pool**

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**(D) Structure Height of Buildings subject to Coastal Height Limit in accordance with Section 132.0505**

- (i) The height of a building is measured to the uppermost point of the structure or any appurtenance placed upon the roof thereof, including signs, penthouses, mechanical equipment, chimneys, vent stacks, spires, or steeples, or other projections.**
- (ii) The base of the measurement shall be in accordance with the 1970 Uniform Building Code. The height shall be measured from the highest adjoining sidewalk or ground surface, provided that the height measured from the lowest adjoining surface shall not exceed such maximum height by more than 10 feet.**
- (iii) The base of the measurement is taken from finished grade.**

(b) through (c) [No change.]

**Issue #15 Zone Applicability Tables**

**§131.0215    Where Open Space Zones Apply**

On the effective date of Ordinance O-18691, all open space zones that were established in Municipal Code Chapter 10, Article 1, Division 4 shall

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be amended and replaced with the base zones established in this division;  
as shown in Table 131-02A.

**Table 131-02A**  
**Open Space Zone Applicability**

Previous Chapter 10 Open Space Zone Replaced with New Open Space Zone Established by this Division	
Open Space Zone that Existed on December 31, 1999:	Applicable Zone of this Division
OS-OSP	OP-2-1
OS-P, OS-R	OP-1-1
FC, FW	OF-1-1
OS-TDR	None
No Existing Zone	OC-1-1
No Existing Zone	OR-1-1
No Existing Zone	OR-1-2

(Strike equivalent Ch 13 tables in agricultural, residential, commercial, industrial zones)

**Issue #16 Setback Requirement in Agricultural Zones**

**§131.0331 Development Regulations Table for Agricultural Zones**

The following development regulations apply in the agricultural zones as shown in Table 131-03C.

**Table 131-03C**  
**Development Regulations of Agricultural Zones**

Development Regulations [See Section 131.0330 for Development Regulations of Agricultural Zones]	Zone Designator	Zones			
	1st & 2nd >>	AG		AR	
	3rd >>	1-	1-	1-	1-
	4th >>	1	2	1	2
<b>Max Permitted Residential Density</b> (DU Per Lot)		1 <sup>(1)</sup>	1 <sup>(1)</sup>	1 <sup>(2)</sup>	1 <sup>(3)</sup>
<b>Min Lot Area</b> (ac)		10	5	10	1
<b>Min Lot Dimensions</b>					
Lot Width (ft)		200	200	200	100 <sup>(4)</sup>
Street Frontage (ft)		200	200	200	100 <sup>(5)</sup>
Lot Depth (ft)		200	200	200	150
<b>Setback Requirements</b>					
Min Front Setback (ft)		25	25	25	25

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Development Regulations [See Section 131.0330 for Development Regulations of Agricultural Zones]	Zone Designator	Zones			
	1st & 2nd >>	AG		AR	
	3rd >>	1-	1-	1-	1-
	4th >>	1	2	1	2
Min Side Setback(ft)		20 <sup>(8)</sup>	20 <sup>(8)</sup>	20 <sup>(8)</sup>	20 <sup>(8)</sup>
Min Rear Setback (ft)		25	25	25	25
Max Structure Height (ft) [See Section 131.0344]		30	30	30	30
Max Lot Coverage (%) <sup>(7)</sup>		10	20	10	20
Min Floor Area <sup>(6)</sup>		applies	applies	applies	applies

Footnotes for Table 131-03C  
 1-7 [No change]

**8** See Section 131.0343.

**Issue #17 Setback/Angled Plane Encroachments**

**§131.0343 Setback Requirements in Agricultural Zones**

(a) The minimum side *setback* for a legal *lot* that existed on the effective date of this section and that has less than the minimum lot width specified in Table 131-03C, is 10 percent of the width of the *lot* or 5 feet, whichever is greater.

(b) Architectural projections and encroachments may be permitted in Agricultural-Residential (AR) zones in accordance with the regulations in Section 131.0461.

**§131.0461 Architectural Projections and Encroachments in Residential Zones**

(a) The following are permitted *architectural projections* and *encroachments* into required *yards* for ~~RS and RX zones and the RM 1-1, RM 1-2, and RM 1-3~~ **residential** zones. These projections and *encroachments* are not permitted in the required yards within view corridors that are designated by *land use plans* in the Coastal Overlay Zone and may not be located in a required *visibility area* or a required turning radius or vehicle back-up area except where development regulations may allow.

(1) Architectural projections and encroachments may be located in a street yard where limited to:

(A) A maximum of x architectural projections per building façade and x encroaching detached structure total.

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- (B) A maximum *encroachment* of up to 50 percent of the required *setback*.
  - (C) A maximum height of 12(?) feet for at grade *encroachments*. *Architectural projections* shall be permitted up to the maximum height of the underlying base zone or as otherwise indicated in 131.0461 (b).
  - (D) A maximum width of 30(?) percent of the *building façade* or 10 feet whichever is less, except for roof eaves and gutters which may project for the entire length of the *building façade*.
- (2) *Architectural projections* and *encroachments* may be located in an interior side *yard* where limited to:
- (A) A maximum of x *architectural projections* per *building façade*.
  - (B) A maximum of up to 50 percent of the required *setback*, but no closer than 2 feet-6 inches to the *property line*.
  - (C) A maximum height up to the roof eave or the second *story* sill plate, whichever is lower.
  - (D) A maximum width of 30(?) percent of the *building façade* or 10 feet whichever is less, except for roof eaves and gutters which may project for the entire length of the *building façade*.
- (3) *Architectural projections* and *encroachments* may be located in a rear *yard* where limited to:
- (A) A maximum of up to 50 percent of the required *setback*, but no closer than 2 feet-6 inches to the *property line*.
  - (B) A maximum height up to the roof eave or the second *story* sill plate, whichever is lower.
  - (C) A maximum width of 30(?) percent of the *building façade* or 10 feet whichever is less, except for roof eaves and gutters which may project for the entire length of the *building façade*.
- (4) Additional limitations to minimize potential offsite impacts

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- (A) Fireplaces are limited to a maximum of two projecting fireplaces per *yard*. Outdoor fireplaces are not permitted to encroach into a required *yard*.
- (B) Porches or decks (within 3 feet of grade) and associated safety railings are permitted to encroach:
  - (i) A maximum of 100(?) square feet into a *street yard* or
  - (ii) Into a side or rear *yard* where the porch or deck is located a minimum of 10 feet from existing windows on the adjacent property.
- (C) Unenclosed balconies or decks greater than 3 feet above grade and associated safety railings are permitted to encroach into required *street yards* subject to the following requirements:
  - (i) One is permitted for each *story* above the first *story*.
  - (ii) A projecting balcony may encroach up to 4 feet into required *yard*.
  - (iii) Support posts to the ground below are not permitted unless the area below the balcony serves as a projecting entry and provides shelter for an access door to the dwelling unit; and
  - (iv) The maximum permitted width of projecting balconies is 8 feet.
- (D) Detached garages or *accessory buildings* such as a guest quarters are permitted within a side or rear *yard setback* where the:
  - (i) *Lot* is less than 10,000 square feet of area.
  - (ii) *Accessory building* is limited to one *story*.
  - (iii) Cumulative area of all encroaching *accessory buildings* is no greater than 525 square feet in *gross floor area*, and
  - (iv) Length of any *accessory building* dimension within the required *setback* shall not exceed 30 feet.

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(E) Swimming pools, spas, and hot tubs are permitted within a required *yard* subject to the following:

(i) Swimming pools that project 3 feet or less above grade shall be located a minimum of 3 feet from the *property line*.

(ii) Swimming pools that project greater than 3 feet above grade shall comply with required *street yard* or interior side *yard setbacks*, but may encroach into the rear *yard* if located a minimum of 4 feet from the rear *property line*.

(F) Mechanical equipment or utility boxes such as air conditioner units, gas meters, electrical fuse boxes or pool equipment shall not be located within a *street yard*, but may be located within a side or rear *yard* if

(i) At grade equipment is located a minimum of 4 feet from the *property line*, or

(ii) Below grade equipment is located completely below finished grade, does not extend beyond the *property line*, and provided with a permanent, durable, protective cover.

(G) Outdoor stairways shall not be permitted within a *street yard*, but may be located within a side or rear *yard* where the stairway would be primarily located subterranean.

(b) The following are permitted *architectural projections* into the required angled *building envelope* for residential zones. These projections are not permitted in the required view corridors that are designated by *land use plans* in the Coastal Overlay Zone.

(1)

**Comment:** Look to simplify and transfer regulations from 131.0444 to allow for projections into the angled building plane.

**Issue #18 Modify Variable Setback Requirement**

**§131.0431 Development Regulations Table of Residential Zones**

[No change first paragraph.]

(a) [No change.]

(b) RS Zones

**Table 131-04D**



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**Development Regulations of RS Zones**

Development Regulations [See Section 131.0430 for Development Regulations of Residential Zones]	Zone Designator	Zones						
	1st & 2nd >>	RS-						
	3rd >>	1-	1-	1-	1-	1-	1-	1-
	4th >>	1	2	3	4	5	6	7
<b>Max permitted density</b> (DU per lot)		1	1	1	1	1	1	1
<b>Min lot area</b> (sf)		40,000	20,000	15,000	10,000	8,000	6,000	5,000
<b>Min lot dimensions</b>								
Lot width (ft)		100	80	75	65	60	60	50
Street frontage (ft) [See Section 131.0442(a)]		100	80	75	65	60	60	50
Lot width (corner) (ft)		110	85	80	70	65	65	55
Lot depth (ft)		100	100	100	100	100	95	95
<b>Setback requirements</b>								
Min Front setback (ft) [ <del>See Section 131.0443(a)(1)</del> ]		25 <sup>(1)</sup>	25 <sup>(1)</sup>	20 <sup>(1)</sup>	20 <sup>(1)</sup>	20 <sup>(1)</sup>	15 <sup>(1)</sup>	15 <sup>(1)</sup>
Min Side setback (ft) [Multiply number in table by actual lot width to calculate setback]		<u>10</u> 40 <sup>(2)</sup>	<u>13</u> 40 <sup>(2)</sup>	<u>08</u> 6 <sup>(2)</sup>	<u>09</u> 6 <sup>(2)</sup>	<u>10</u> 6 <sup>(2)</sup>	<u>08</u> 5 <sup>(2)</sup>	<u>08</u> 4 <sup>(2)</sup>
Min Street side setback (ft) [Multiply number in table by actual lot width to calculate setback]		<u>10</u> 40 <sup>(2)</sup>	<u>13</u> 40 <sup>(2)</sup>	<u>13</u> 40 <sup>(2)</sup>	<u>15</u> 40 <sup>(2)</sup>	<u>10</u> 40 <sup>(2)</sup>	<u>10</u> 40 <sup>(2)</sup>	<u>20</u> 40 <sup>(2)</sup>
Min Rear setback (ft) [Multiply number in table by actual lot depth to calculate setback]		<u>25</u> 25 <sup>(3)</sup>	<u>25</u> 25 <sup>(3)</sup>	<u>20</u> 20 <sup>(3)</sup>	<u>20</u> 20 <sup>(3)</sup>	<u>20</u> 20 <sup>(3)</sup>	<u>16</u> 15 <sup>(3)</sup>	<u>14</u> 13 <sup>(3)</sup>
Setback requirements for resubdivided corner lots [See Section 131.0443(i)]		applies	applies	applies	applies	applies	applies	applies
<b>Max structure height</b> (ft)		24/30 <sup>(4)</sup>	24/30 <sup>(4)</sup>	24/30 <sup>(4)</sup>	24/30 <sup>(4)</sup>	24/30 <sup>(4)</sup>	24/30 <sup>(4)</sup>	24/30 <sup>(4)</sup>
Development Regulations [See Section 131.0430 for Development Regulations of Residential Zones]	Zone Designator	Zones						
	1st & 2nd >>	RS-						
	3rd >>	1-	1-	1-	1-	1-	1-	1-
	4th >>	1	2	3	4	5	6	7
<b>Lot coverage for sloping lots</b> [See Section 131.0445(a)]		applies	applies	applies	applies	applies	applies	Applies
<b>Max floor area ratio</b>		0.45	varies <sup>(5)</sup>	varies <sup>(5)</sup>	varies <sup>(5)</sup>	varies <sup>(5)</sup>	varies <sup>(5)</sup>	varies <sup>(5)</sup>
<b>Max paving/ hardscape</b> [See Section 131.0447]		applies	applies	applies	applies	applies	applies	applies
<b>Accessory uses and structures</b> [See Section 131.0448 (a),(b)]		applies	applies	applies	applies	applies	applies	applies
<b>Garage regulations</b> [See Section 131.0449(a)]		applies	applies	applies	applies	applies	applies	applies
<b>Building spacing</b> [See Section 131.0450]		applies	applies	applies	applies	applies	applies	applies
<b>Max third story dimensions</b> [See Section 131.0460]		--	applies	applies	applies	applies	applies	applies
<b>Architectural projections and encroachments</b> [See Section 131.0461(a)]		applies	applies	applies	applies	applies	applies	applies
<b>Supplemental requirements</b> [See Section 131.0464(a)]		applies	applies	applies	applies	applies	applies	applies
<b>Diagonal plan dimension</b> [See Section 131.0465]		--	--	--	--	--	--	applies

Development Regulations [See Section 131.0430 for Development Regulations of Residential Zones]	Zone Designator	Zones
	1st & 2nd >>	RS-

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	3rd >>	1-	1-	1-	1-	1-	1-	1-
	4th >>	8	9	10	11	12	13	14
<b>Max permitted density</b> (DU per lot)		1	1	1	1	1	1	1
<b>Min lot area</b> (sf)		40,000	20,000	15,000	10,000	8,000	6,000	5,000
<b>Min lot dimensions</b>								
Lot width (ft)		100	80	75	65	60	60	50
street frontage (ft) [See Section 131.0442(a)]		100	80	75	65	60	60	50
Lot width (corner) (ft)		110	85	80	70	65	65	55
Lot depth (ft)		100	100	100	100	100	95	95
<b>Setback requirements</b>								
Min Front setback (ft) [See Section 131.0443(a)(1)]		25 <sup>(1)</sup>	25 <sup>(1)</sup>	25 <sup>(1)</sup>	20 <sup>(1)</sup>	15 <sup>(1)</sup>	15 <sup>(1)</sup>	15 <sup>(1)</sup>
Min Side setback (ft)		10	8	7	6	5	5	4
Min Street side setback (ft)		20	15	15	10	10	10	10
Min Rear setback (ft)		10 <sup>(6)</sup>	10 <sup>(6)</sup>	10 <sup>(6)</sup>	10 <sup>(6)</sup>	10 <sup>(6)</sup>	10 <sup>(6)</sup>	10 <sup>(6)</sup>
<b>Setback requirements for resubdivided corner lots</b> [See Section 131.0443(i)]		applies	applies	applies	applies	applies	applies	applies
<b>Max structure height</b> (ft)		35	35	35	35	35	35	35
<b>Lot coverage for sloping lots</b> [See Section 131.0445(a)]		-	-	-	-	-	-	-
<b>Max floor area ratio</b> [See Section 131.0446(b)]		0.45	0.60	0.60	0.60	0.60	0.60	0.60
<b>Max paving/ hardscape</b> [See Section 131.0447]		applies	applies	applies	applies	applies	applies	applies
<b>Accessory uses and structures</b> [See Section 131.0448 (a),(b)]		applies	applies	applies	applies	applies	applies	applies
<b>Garage regulations</b> [See Section 131.0449(a)]		applies	applies	applies	applies	applies	applies	applies
<b>Building spacing</b> [See Section 131.0450]		applies	applies	applies	applies	applies	applies	applies
<b>Max third story dimensions</b>		-	-	-	-	-	-	-
<b>Architectural projections and encroachments</b> [See Section 131.0461(a)]		applies	applies	applies	applies	applies	applies	applies
<b>Supplemental requirements</b> [See Section 131.0464(a)]		applies	applies	applies	applies	applies	applies	applies
<b>Diagonal plan dimension</b>		-	-	-	-	-	-	-

Footnotes for Table 131-04D

- 1 See Section 131.0443(a)(2). For lots where at least one-half of the front 50 feet of the lot depth has a minimum slope gradient of 25 percent, the setback closest to the street frontage may be reduced to a minimum 6 feet.
- 2 See Section 131.0443(a)(3). The required side setbacks may be reallocated so long as the combined dimension of both side setbacks equals at least the combined total required in Table 131-04D. In no case shall a side setback be reduced to less than 4 feet.
- 3 See Section 131.0443(a)(4)(2)(A).
- 4 See Section 131.0444(b).
- 5 See Section 131.0446(a).